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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,135	05/15/2001	Brian A. Baker	RPS920000068US1	1735
45503	7590	05/18/2005	EXAMINER	
DILLON & YUDELL LLP 8911 N. CAPITAL OF TEXAS HWY., SUITE 2110 AUSTIN, TX 78759			GRIER, LAURA A	
			ART UNIT	PAPER NUMBER
			2644	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/858,135	Applicant(s) BAKER ET AL.	
	Examiner Laura A. Grier	Art Unit 2644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-11 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The indicated allowability of claim 13 is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2, 5, 7-8, and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran in view of Dharmarajan et al. (herein, Dharma).

Regarding **claims 1 and 7**, Tran discloses a multimedia speaker detection circuit (figures 1-3). Tran's disclosure comprises a multimedia speaker detector (64) coupled to an audio connector for determining whether a speaker coupled to the computer system is passive or active; wherein, according to the type of speaker determined, a power level is provided accordingly; for instant for a passive speaker amplification is provided, and for an active speaker, the speaker is self-powered (col. 5, lines 17-40, and lines 64-67; col. 6, lines 1-21 and 33-55), which reads on "based on the determining step, providing one of a plurality of different power levels to the audio output jack", wherein the audio output jack is inherently supported as evident of the audio connector (figure 2—reference 66 and figure 3); and Tran further discloses a multiplexer receiving an input from two amplifiers (col. 6, lines 1-17) and further coupled to amplifier unit (98), which reads on selectively controlling the output of a switch device, therein, for output via the

speakers (122/124) in which the amplifiers may constitute as passive speaker amplifiers, however is inherent that with coupling amplified signals (114/116) and unamplified signals via the R8/R6 being input for both the speakers and headphones are processed via amplifier section 94 that the an output from the headphone amplifier is coupled to the input of the passive speaker amplifier (col. 5, lines 56-67 and col. 6, lines 1-21) . However, Tran fails to specifically disclose an audio codec and headphone amplifier (audio components).

Regarding the audio components, in a similar field of endeavor, Dharma discloses portable-pc audio system with digital-audio links to external audio in a docking station. Dharma's disclosure teaches the use of either speakers and/or headphones and the computer system comprises an Audio CODEC'97 audio codec (col. 7, lines 29-30, and col. 8, lines 26-34), which reads an AC97 audio codec and a headphone amplifier.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention Tran by implementing an audio codec for the purpose of providing standard audio encoding of audio signals utilized by a headphone and improving the signal-to-noise ratio of personal computer audio systems as taught by Dharma.

Regarding **claims 2 and 8**, Tran and Dharama disclose everything claimed as applied above (see claims 1 and 7, respectively). Tran's disclosure further comprises the multimedia speaker detection (64) coupled to an audio connector (66), wherein the detection is based upon the impedance level of the speaker coupled to the computer (col. 5, lines 17-41), which reads on sensing an impedance at the audio jack output.

Regarding **claims 5 and 11**, Tran and Dharama disclose everything claimed as applied above (see claim 2 and 7, respectively). Tran's disclosure further a voltage associated with the impedance to a reference voltage (col. 5, lines 56-67, col. 6, lines 1-55).

4. **Claims 3-4 and 9-10, 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran and Dharama in view of the applicant's admitted prior art (AAPA).

Regarding **claims 3 and 9**, Tran and Dharama disclose everything claimed as applied above (see claims 1 and 7, respectively). Tran discloses the speaker (an audio output device) as being either passive or active. However, Tran and Dharama fail to specifically disclose a specific power signal (3-watts) for the passive output device to the audio output jack. The examiner maintains that such a specific watt for a power signal was well known in the art.

Regarding the specific watt for a power signal, AAPA disclose that the power supply of a passive device (speaker) being 3-watts per channel (page 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Tran and Dharama by implementing a power signal of 3-watts to a passive speaker for the purpose of providing adequate power to the speaker, wherein 3-watts is a common power requirement of passive speakers as taught by the AAPA.

Regarding **claim 14**, Tran and Dharama disclose everything claimed as applied above (see claim 9). However, Tran and Dharama fail to specifically disclose the audio output device as a headphone. The examiner maintains that such an audio output device was well known in the art.

Regarding the audio output device, AAPA disclose various audio device coupled to the I/O device of the computer system, among the various devices are headphones (page 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Tran and Dharama by implementing headphones as an active audio device for the purpose of enable diversity being able to hear the audio output and privacy of the user.

Regarding **claims 4 and 10**, Tran and Dharama disclose everything claimed as applied above (see claims 1 and 7, respectively). Tran discloses the speaker (an audio output device) as being either passive or active. However, Tran and Dharama fail to specifically disclose a specific power signal (1/4-watt) for the active output device to the audio output jack. The examiner maintains that such a specific watt for a power signal was well known in the art.

Regarding the specific watt for a power signal, AAPA disclose that the power supply of an active device (speaker) being 1/4-watt per channel (page 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Tran and Dharama by implementing a power signal of 1/4-watt to an active speaker for the purpose of providing adequate power to the speaker, wherein 1/4-watt is a common power requirement of active speakers as taught by the AAPA.

Response to Arguments

5. The applicant did not provide arguments against the prior art previously used, merely mentioned the amended changes in respect the previous Office Action and objected subject matter of previous claim 13. In respect to further search and consideration of the prior art reference, Tran, the allowability of claim 13 is withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A. Grier whose telephone number is (571) 272-7518. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh N. Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Laura A. Grier
May 16, 2005